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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 DONALD L. STRATTON,

8 Plaintiff,

v.

9 JULIE BUCK, et al.,

10 Defendants.

11 No. C09-5571 RJB/KLS

12 **ORDER ADOPTING REPORT AND**
13 **RECOMMENDATION**

14 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen
15 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,
16 does hereby find and **ORDER**:

- 17 1) The Court **ADOPTS** the Report and Recommendation (Dkt. 48).
18 2) Defendant Dale Brown's motion to dismiss (Dkt. 25) is **GRANTED** for
19 Plaintiff's failure to exhaust administrative remedies and Plaintiff's claims against
20 Dale Brown are **DISMISSED WITHOUT PREJUDICE**.
21 3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
22 Defendant and to the Hon. Karen L. Strombom.

23 **DATED** this 26th day of July, 2010.

24 
25 ROBERT J. BRYAN

26 United States District Judge